

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Roderick English, #301507,

Petitioner,

vs.

Warden Bartel,

Respondent.

C/A No. 1:19-209-JFA-SVH

ORDER

The *pro se* petitioner, Roderick Jerome English, is an inmate with the South Carolina Department of Corrections. He has filed a motion captioned “Motion to Amend federal Habeas Corpus.” (ECF No. 26). In the two-page motion, the petitioner requests, among other things, to “move fo motion 59.E.” (written as it appears in the original). The motion is essentially incomprehensible.

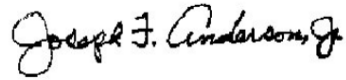
On March 7, 2019, this federal habeas action was dismissed by order of this court without prejudice and without issuance and service of process due to the petitioner’s vague and conclusory allegations in his original petition. The petitioner also failed to file a response or objections to the Magistrate Judge’s Report and Recommendation.

To the extent the petitioner’s motion can be construed as a motion to alter or amend a judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, that motion is denied as untimely. Such a motion is required to be made within 28 days after the entry of the judgment and the record in this case indicates judgment (ECF No. 16) was entered over eight months prior to the instant motion.

There being no pending matters in this closed habeas action, the petitioner's motion (ECF No. 26) is denied.

IT IS SO ORDERED.

November 22, 2019
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge